

MEETING RECORD

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, May 16, 2002, 1:30 p.m., Conference Room No. 106, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Tim Francis, Bruce Helwig, Bob Ripley and Carol Walker; (Jerry Berggren, Jim McKee and Terry Young absent). Ed Zimmer and Teresa McKinstry of the Planning Department; and other interested citizens.

STATED PURPOSE OF MEETING: Regular Historic Preservation Commission Meeting

Chair Bob Ripley called the meeting to order and requested a motion approving the minutes of the regular meeting held April 18, 2002. Motion for approval made by Helwig, seconded by Francis. Motion carried 4-0: Francis, Helwig, Ripley and Walker voting 'yes'; Berggren, McKee and Young absent.

The opportunity was given for persons with limited time or with an item not appearing on the agenda to address the Commission. No one appeared.

APPLICATION BY DENNIS AND GLENDA McCULLEY FOR A SPECIAL PERMIT FOR THE JOSEPH GRAINGER HOUSE, 1970 "B" STREET
PUBLIC HEARING:

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Dennis McCulley stated that he would like to have action on this item today. He has appeared before the Commission 3 times now, and no final decisions have been made.

Ripley noted that Francis had declared he would not vote on this item since he was the listing agent for the sale of the real estate to the McCulleys. With only 4 Commissioners present today, that leaves them without a quorum to take action on this item. He further noted that the application has changed each time Mr. McCulley has presented it to the Commission.

Ed Zimmer explained that Tim Francis was the listing agent on the sale of this property, which by Nebraska rules, states that he was an agent of the seller and had no interest in

the new owner of this property. While Francis declaring a conflict of interest was on the safe side, it is not legally necessary.

Francis stated that he is willing to vote on this item to expedite the application. Mr. McCulley replied that he did not have a problem with Francis voting on this.

Mr. McCulley presented a drawing of the property. He and his wife had initially planned on having their bedroom in the maid's quarters. This would have required a fire escape on the side of the house. They are proposing to take the back 2 bedrooms as their room and move the 3 suite bed and breakfast to the front of the house. They will be making an addition to expand their bedroom in the rear. The fire escape would be located at the rear of the house and would not be visible from the front. He is also proposing leaving the 3rd floor alone for now, until they have a 50% occupancy.

Ripley questioned if the addition would go over the top of the deck. Mr. McCulley replied that it would be pretty even with the deck. Rather than events, they are willing to have up to 50 people come over that are invited by a guest of the house.

Robert Poggenpohl stated that all a person has to do to have an event at this property, would be to rent a room. Mr. McCulley replied that he was correct. A guest would be allowed to have up to 50 people over.

Francis is confused. Will there be events or not? Mr. McCulley stated that is asking for what he had originally stated, a 3 suite bed and breakfast. They need to have events allowed in some fashion. It would be limited to 50 people.

Mr. Poggenpohl has a problem with no one enforcing these events. Events at this property will only aggravate the problem of an already extremely crowded neighborhood with no parking.

Donita Thompson and Dorian Merritt expressed their frustration with the whole situation. They do not see the need for this process if there is no one who will enforce, when the applicant does not comply with the terms of their permit.

Mr. Zimmer clarified that there are mechanisms to enforce special permits, through the Building and Safety Dept. He agreed that responding to complaints is an important part of this mechanism. There are simply not enough building officials at Building and Safety to constantly monitor each and every property for compliance with codes and permits. He explained further that special permit have a special enforcement opportunity, which in the event of problems is to schedule a "show cause" hearing before City Council to consider whether a permit should be rescinded.

Mr. McCulley believes that it is rather unfair to say that he can't have events, when the other bed and breakfasts can have events. He would like to have a vote on the French doors so he can start some construction.

Ripley doesn't have a problem with action today if they break down the items being requested.

Helwig doesn't see action today on the proposed amendment no. 5, as they have no picture of a proposed sign. The other Commissioners agreed. Ripley inquired what specific items the applicant is asking for approval today. Mr. McCulley replied that he would like action on the windows and the French doors on the side of the house.

Mr. Poggenpohl believes that preserving a neighborhood is far more important than preserving a house. He would ask the Commissioners to look at the whole impact on the neighborhood.

Mr. McCulley thinks that he can put 13 parking spaces off the back alley. Assuming 2 people per car, this would take care of 26 people at an event.

Mr. Poggenpohl understands what the applicant is saying, but the bottom line is that neighbors don't want events. There are many children in the neighborhood and he would worry about people leaving an event after possibly drinking.

ACTION:

May 16, 2002

Francis moved for approval of the French doors on the west side of the house and the landscape plan, seconded by Walker.

Motion for approval carried 4-0: Francis, Helwig, Ripley and Walker voting 'yes'; Berggren, McKee and Young absent.

Mr. Zimmer informed the applicant, and the Commissioners agreed, that they would like to have final plans before them a few weeks before the hearing so everyone has the opportunity to review what is being proposed.

**APPLICATION BY WILL SCOTT FOR A CERTIFICATE OF APPROPRIATENESS
FOR WORK AT 720 "O" STREET IN THE HAYMARKET LANDMARK DISTRICT
AND RECOMMENDATION ON WINDOWS ON PROPERTY LINE**

PUBLIC HEARING:

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Jon Craig and Will Scott appeared to present the application. They are proposing a new dock to access the building, approximately 56 feet long. It will be a concrete slab floating on 3 x 3 angles with a translucent material covering it. The guard rail system is a system of 1/5 inch tubes and cable. The dock will also have some exterior lighting underneath.

Helwig wondered about the window openings. Mr. Scott stated that the east wall, with the new openings, will be done in brick. The east wall is currently roughly finished concrete block.

Ripley inquired how the illumination under the dock will be maintained. Mr. Craig replied that the translucent panels will be bolted on. It will be fairly simple to unbolt a panel and replace a light bulb. The panels are a very rigid material.

No one else appeared and public hearing was closed.

ACTION:

May 16, 2002

Helwig made a motion for approval of the dock, window openings and treatment of the west wall, seconded by Walker.

Ripley commented that he is concerned about the longevity of the finish below the dock. The long term maintenance of the translucent panels makes him somewhat cautious.

Motion for approval carried 4-0: Francis, Helwig, Ripley and Walker voting 'yes'; Berggren, McKee and Young absent.

**APPLICATION BY AARON FUNK ON BEHALF OF TELESIS, INC., FOR A
CERTIFICATE OF APPROPRIATENESS FOR WORK AND RECOMMENDATION ON
USE OF RIGHT-OF-WAY ADJACENT TO 210 NORTH 7TH STREET IN THE
HAYMARKET LANDMARK DISTRICT**
PUBLIC HEARING:

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Scott Sullivan appeared to present the application. They are here today to get preliminary thoughts from the Commissioners and give an idea of what direction they are thinking of going. He presented drawings of a floor plan. They have a preliminary building permit. This is the old Jabrisco property and Burlington Antique Mall. Previous discussions had involved facade treatment by the brewing company. Construction on the facade was delayed until the Commission can review a proposed restaurant and see if it all ties together. The revolving door comes from a desire to reduce utility costs. Part of this is an

easement. Mr. Sullivan believes that revolving doors have a precedence to a historical district. He presented computer drawings of what the Commission approved for the facade of the building. Regarding the Jabrisco building, they intend to continue the sidewalk café. They might be back for perhaps a heated concrete slab to make outside dining more desirable in cooler weather.

Ripley observed that there is the issue of the revolving door. He has a problem with the revolving door projecting from the building. He wouldn't have a problem with the door being flush with the building.

Mr. Sullivan wondered if there was anything they could do to alleviate this concern. There is the problem of space involved when trying to pull the door flush with the building. Ripley replied that in terms of a revolving door element, it has been made as understated as possible. He would have to see some other alternatives, though.

Helwig shares some of Ripley's concerns, but he understands what Mr. Sullivan is saying. There are some problems with pulling the door back into the building.

Ripley stated that he appreciates Mr. Sullivan appearing in advance.

Mr. Zimmer stated that the additional projection hasn't gone through the right-of-way process. Mr. Sullivan stated that based on the comments of the Commissioners, he is not ready to ask for a vote on the use of the right-of-way.

**APPLICATION BY STUART LONG ON BEHALF OF THE MEETING PLACE FOR A
CERTIFICATE OF APPROPRIATENESS FOR WORK AT THE FORMER EAST
LINCOLN BAPTIST CHURCH, 2748 "S" STREET, A DESIGNATED LANDMARK
PUBLIC HEARING:**

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Stuart Long appeared to present the application. They are asking for approval to paint the exterior of the building. They would like to remodel the 2 entryways. They want to do some repair work on the stained glass.

Francis wondered what color the applicant is considering. Mr. Long replied that they haven't decided between taupe and beige.

The Commissioners all agreed that this will look nice when it is finished.

ACTION:

May 16, 2002

Francis moved approval, seconded by Helwig. Motion for approval carried 4-0: Francis, Helwig, Ripley and Walker voting 'yes'; Berggren, McKee and Young absent.

**APPLICATION BY JOSHUA AND JAIME WEEKLY FOR A CERTIFICATE OF
APPROPRIATENESS FOR WORK AT 645 MARSHALL AVENUE IN THE WOODS
PARK BUNGALOW LANDMARK DISTRICT**

PUBLIC HEARING:

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Ripley noted that no one was present today to represent the applicant, and there is not a lot of information available on this application.

Mr. Zimmer stated that this is an application for narrow siding.

Ripley would ask that this item be delayed until next month so someone can present more information.

**APPLICATION BY JOEL AND KATHY SARTORE FOR LANDMARK DESIGNATION
IN ACCORD WITH LMC 27.63.400 FOR THE HITCHCOCK HOUSE, 2733 SHERIDAN
BLVD.**

PUBLIC HEARING:

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Joel Sartore appeared to present the application. They are looking to completely restore this house. The neighbors told them there have been 3 different people who have lived above the garage. They would like it turned back into a space where someone can live and work on the grounds. The original structure has a staircase. They would like to seek an alternative to ripping that out. They are working with Building and Safety.

Mr. Zimmer stated that there is the issue of a safe exit with minimal damage to the building. The 2nd issue is a special permit question. Neighbors wondered about the conditions under which this unit might be permitted. The applicants do not presently desire this to be an open rental unit. This will be an apartment in exchange for services. He would suggest a constraint of the special permit which states that there are 2 units on the property, but it is treated as one family.

Ripley has talked with Mr. Zimmer on this and he certainly agrees with that constraint. This is not the only property in the area that has a garage with an apartment above it. He thinks this is a good premise of how things can be done.

Mr. Sartore stated that he is not looking to create a rental property. He has talked to people in the neighborhood. The neighbors are concerned with what future owners can do to the property. This makes the language of the special permit, very important. Mr. Zimmer stated that special permits attach to the property. Ripley believes that a landmark designation implies that someone has a longer term view of the future of a property.

Ripley believes the applicant is on the right track. The other Commissioners agreed. Mr. Zimmer stated that they will have more specific information available next month.

**APPLICATION BY CINDY AND DAVID LOOPE, MARGARET BLOOM, BETH AND
RON GOBLE, VERA MAE AND DAN LUTZ, PATRICIA AND STEVE SHOCK AND
LISA AND RICHARD SUTTON FOR LANDMARK DISTRICT DESIGNATION IN
ACCORD WITH LMC 27.57.10 OF THE EAST CAMPUS NEIGHBORHOOD
LANDMARK DISTRICT, GENERALLY LOCATED BETWEEN HOLDREGE ST. ON
THE NORTH, IDYLWILD DR. ON THE WEST, APPLE STREET ON THE SOUTH,
AND NORTH 40TH STREET ON THE EAST**
PUBLIC HEARING:

May 16, 2002

Members present: Francis, Helwig, Ripley and Walker; Berggren, McKee and Young absent.

Mr. Zimmer stated that the formal process of a landmark district designation is to have public hearing one month and action at the next meeting. 300-plus notification letters were mailed out to property owners in the district and for 200' surrounding the proposed district. This will be back next month for action and then on to Planning Commission and City Council.

Cindy Loope stated that the guidelines were printed and distributed to neighbors last fall. The response was that there were significant number of owners who were not interested in being involved in the district, so the boundaries were redrawn. Of the new district, survey showed that within the new boundaries 80% were in favor.

Ripley is delighted that this is proceeding. It is very meritorious for a landmark district.

Joe Renteria, Jr. appeared to ask questions. He has lived on his property since 1998 and he has not received any notice of the landmark district until he received the notice of the public hearing at Historic Preservation Commission today. He knows there will be issues with his garage. Right now, it is unusable. Siding and painting are issues. These issues all raise some concern for him.

Ms. Loope apologized to Mr. Renteria. There were volunteers who canvassed the neighborhood and she believes they missed his house. She will get some more information to him and he can decide if he has concerns about the district.

There being no further business, the meeting was adjourned at 3:15 p.m.